

130000829

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 12-0417-3047

ELECTIONS: UNIT A-32
(herein Subject Drilling Unit)

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on June 14, 2012 which was recorded at Document 120001617 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on August 8, 2012, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit A-32;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company 38 E. Valley Drive, Bristol, VA 24201, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 12 day of April, 2013 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

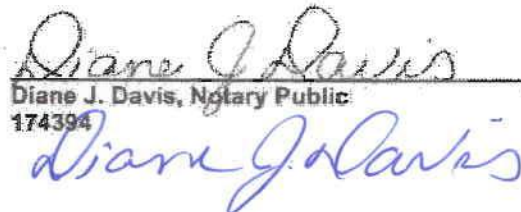
DONE AND PERFORMED this 12 day of April, 2013 by Order of the Virginia Gas and Oil Board.



Rick Cooper
Principal Executive to the
staff, Virginia Gas and Oil Board

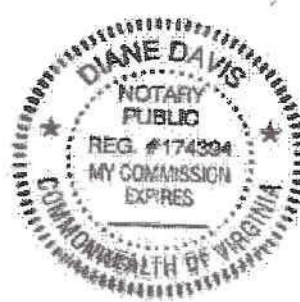
COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 12th day of April, 2013 personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that they executed the same and was authorized to do so.



Diane J. Davis, Notary Public
174394

My Commission expires: September 30, 2013.



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in Unit A-32
VGOB 12-0417-3047 in the Garden District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land Resources, Inc., as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on June 14, 2012, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Lebanon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on August 8, 2012;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

Carried Operator (Option 9.3)- Gregory Poulos, Jason Poulos and Pamela Poulos

That respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of June 14, 2012;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

See attached Exhibit B-2

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

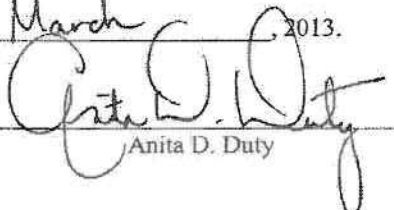
Wealthy A. Brown Heirs; Clift Investment Group LLC; Patricia Riley; David Tolliver

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

None


That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 4th day of March, 2013.


Anita D. Duty

STATE OF WEST VIRGINIA
COUNTY OF MERCER

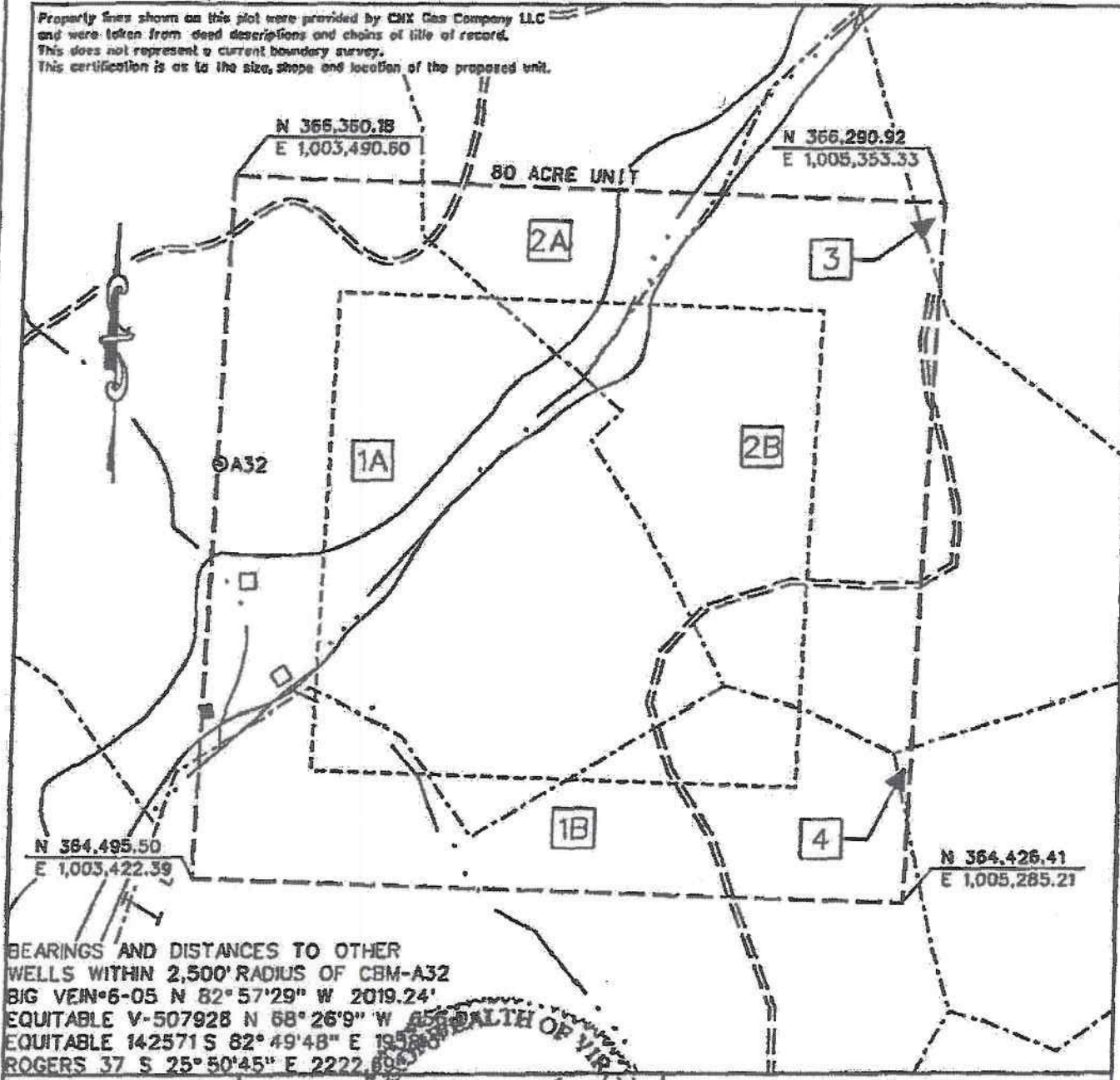
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 4th day of March, 2013.


Notary

My commission expires: Apr. 9, 2023



Property lines shown on this plot were provided by CNX Gas Company LLC and were taken from deed descriptions and chains of title of record. This does not represent a current boundary survey. This certification is as to the size, shape and location of the proposed unit.



BEARINGS AND DISTANCES TO OTHER WELLS WITHIN 2,500' RADIUS OF CBM-A32
 BIG VEIN-6-05 N 82° 57' 29" W 2019.24'
 EQUITABLE V-507928 N 68° 26' 9" W 1958.63'
 EQUITABLE 142571 S 82° 49' 48" E 1958.63'
 ROGERS 37 S 25° 50' 45" E 2222.69'

- CBM WELL
- ⊙ PROPOSED CBM WELL

Richard C. Murphy
 RICHARD C. MURPHY
 Lic. No. 041888
 03-09-12
 PROFESSIONAL ENGINEER

EXHIBIT A
 OAKWOOD FIELD
 UNIT A32
 FORCE POOLING
 VGDB-12-0417-3047

Company CNX Gas Company LLC Well Name and Number UNIT A32
 Tract No. _____ Elevation _____ Quadrangle PATTERSON
 County BUCHANAN District GARDEN Scale: 1" = 400' Date _____
 This plot is a new plot X ; an updated plot _____ ; or a final plot _____

Form DGO-60-7
 Rev. 9/91

Richard C. Murphy

Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

CNX Gas Company LLC
UNIT A32
Tract Identifications

1. LBR Holdings, LLC (211.80 Acre Tract) – All Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Jawbone Seam Leased (6/7)
Reserve Coal Properties Company – P-3 Seam Subleased (6/7)
Jewell Smokeless Coal Corporation – Coal In Jawbone Seam and Above Leased (6/7)
LBR Holdings, LLC, et al – Oil and Gas
EQT Production Company – Oil and Gas Leased (64.2857%)
CNX Gas Company LLC – CBM Leased (Geomet Farmout) (64.2857%)
51.99 acres 64.9875%
- 1A. Kevin Keen, et al - Surface
1B. Kevin Keen, et al - Surface
2. Clift Investment Group, LLC, et al (74.10 Acre Tract) – All Minerals
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased (50%)
Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased (50%)
27.70 acres 34.6250%
- 2A. Unknown Surface Owner
2B. Unknown Surface Owner
3. LBR Holdings, LLC (85.50 Acre Tract) – All Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Jawbone Seam Leased
Reserve Coal Properties Company – P-3 Seam Subleased
Jewell Smokeless Coal Corporation – Coal In Jawbone Seam and Above Leased
LBR Holdings, LLC, et al – Oil and Gas
EQT Production Company – Oil and Gas Leased (75%)
CNX Gas Company LLC – CBM Leased (Geomet Farmout) (75%)
Unknown Surface Owner
0.21 acres 0.2625%
4. Muriel R. Short, et al (30 Acre Tract) – All Minerals
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased (62.12%)
Unknown Surface Owner
0.10 acres 0.1250%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

Exhibit B-2
Unit A-32
Docket # VGOB 12-0417-3047
List of Respondents to be Dismissed

	Acres in Unit	Percent of Unit	Reason for Dismissal
I. COAL OWNERSHIP			
<u>Tract #1, 51.99 Acres</u>			
(1) LBR Holdings, LLC, et al. (211.80 Acre Tract)	51.99 acres	64.9875%	
(b) Wealthy A. Brown Heirs, Devisees, Successors or Assigns Heirs / Addresses Unknown	7.43 acres 1/7 of 51.99 acres	9.2839%	Not an Owner
<u>Tract #2, 27.70 Acres</u>			
(1) Clift Investment Group, LLC, et al (74.10 Acre Tract)	27.70 acres	34.6250%	
(a) Clift Investment Group, LLC 42 Whitehall Bristol, VA 37620-2950	13.85 acres 1/2 of 27.70 acres	17.3125%	Leased
<u>Tract #4, 0.10 Acres</u>			
(1) Muriel R. Short, et al (30 Acre Tract)	0.10 acres	0.1250%	
(b) George Tolliver Heirs, Devisees, Successors or Assigns			
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9) Thomas Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9.1) Evalyn Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9.1.1) Patricia Riley 579 Cherry Hill Place Fairborn, OH 45324	0.0019 acres 1/52 of 0.10 acres	0.0024%	Leased
(b.1.10) Steve Tolliver	Conveyed interest (DB 263/403)		
(b.1.10.1) Selma K. Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.10.1.1) David Tolliver 2426 St. Rt 722 Otway, OH 45657-9609	0.0038 acres 1/26 of 0.10 acres	0.0048%	Leased
II. OIL & GAS OWNERSHIP			
<u>Tract #1, 51.99 Acres</u>			
(1) LBR Holdings, LLC, et al. (211.80 Acre Tract)	51.99 acres	64.9875%	
(i) Wealthy A. Brown Heirs, Devisees, Successors or Assigns Heirs / Addresses Unknown	7.43 acres 1/7 of 51.99 acres	9.2839%	Not an Owner
<u>Tract #2, 27.70 Acres</u>			
(1) Clift Investment Group, LLC, et al (74.10 Acre Tract)	27.70 acres	34.6250%	
(a) Clift Investment Group, LLC 42 Whitehall Bristol, VA 37620-2950	13.85 acres 1/2 of 27.70 acres	17.3125%	Leased

Exhibit B-2
Unit A-32
Docket # VGOB 12-0417-3047
List of Respondents to be Dismissed

	Acres in Unit	Percent of Unit	Reason for Dismissal
<u>Tract #4, 0.10 Acres</u>			
(1) Muriel R. Short, et al (30 Acre Tract)	0.10 acres	0.1250%	
(b) George Tolliver Heirs, Devisees, Successors or Assigns			
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9) Thomas Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9.1) Evalyn Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9.1.1) Patricia Riley 579 Cherry Hill Place Fairborn, OH 45324	0.0019 acres 1/52 of 0.10 acres	0.0024%	Leased
(b.1.10) Steve Tolliver	Conveyed interest (DB 263/403)		
(b.1.10.1) Selma K. Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.10.1.1) David Tolliver 2426 St. Rt 722 Otway, OH 45657-9609	0.0038 acres 1/26 of 0.10 acres	0.0048%	Leased

Exhibit B-3
Unit A-32 / Well A-32
Docket # VGOB 12-0417-3047
List of all Deemed Leased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
I. COAL OWNERSHIP			
<u>Tract #4, 0.10 Acres</u>			
(1) Muriel R. Short, et al (30 Acre Tract)	0.10 acres	0.1250%	
(a) Roy Ray Heirs, Devisees, Successors or Assigns (1/2)			
(a.1) Willie Wingo Ray Heirs, Devisees, Successors or Assigns			
(a.1.4) Stephen Ray PO Box 1580 Lebanon, VA 24266-1580	0.0063 acres 1/16 of 0.10 acres	0.0078%	Deemed Leased
(b) George Tolliver Heirs, Devisees, Successors or Assigns			
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.2) Roy Tolliver	Conveyed interest (DB 263-401)		
(b.1.2.1) Carol Ellenburg 316 N. High St. Chillicothe, OH 45601	0.0019 acres 1/52 of 0.10 acres	0.0024%	Deemed Leased
(b.1.2.2) James Ellenburg Address Unknown	0.0019 acres 1/52 of 0.10 acres	0.0024%	Deemed Leased
(b.1.6) Edna T. Hollandsworth Heirs, Devisees, Successors or Assigns			
(b.1.6.2) Vernon Hays Heirs, Devisees, Successors or Assigns			
(b.1.6.2.3) Cynthia Rhodes 2308 Wayne Ave., Apt #12 Dayton, OH 45420	0.0005 acres 1/208 of 0.10 acres	0.0006%	Deemed Leased
(b.1.6.2.4) Verna Napier 301 Arms Dr., Apt 4 Fairborn, OH 45324	0.0005 acres 1/208 of 0.10 acres	0.0006%	Deemed Leased
(b.1.7) Leck Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.7.1) Ruby Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.7.1.1) Kelly Tolliver Address Unknown	0.0019 acres 1/52 of 0.10 acres	0.0024%	Deemed Leased
(b.1.8) Versa T. Smith Heirs, Devisees, Successors or Assigns			
(b.1.8.1) Phyllis Graves Heirs, Devisees, Successors or Assigns			

Exhibit B-3
Unit A-32 / Well A-32
Docket # VGOB 12-0417-3047
List of all Deemed Leased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
(b.1.8.1.1) Robert Graves Address Unknown	0.0001 acres 1/780 of 0.10 acres	0.0002%	Deemed Leased
(b.1.8.1.2) James Graves Address Unknown	0.0001 acres 1/780 of 0.10 acres	0.0002%	Deemed Leased
(b.1.8.1.3) Tammy Green Address Unknown	0.0001 acres 1/780 of 0.10 acres	0.0002%	Deemed Leased
(b.1.8.1.4) Charles Robinson Address Unknown	0.0001 acres 1/780 of 0.10 acres	0.0002%	Deemed Leased
(b.1.8.1.5) Bobbie Beakman 2215 Spunk Run Rd. Piketon, OH 45661	0.0001 acres 1/780 of 0.10 acres	0.0002%	Deemed Leased
(b.1.8.3) Merrill Smith 2283 Spunk Run Rd. Piketon, OH 45661	0.0006 acres 1/156 of 0.10 acres	0.0008%	Deemed Leased
(b.1.8.6) Roger Smith Heirs, Devisees, Successors or Assigns			
(b.1.8.6.1) Troy Smith Address Unknown	0.0002 acres 1/624 of 0.10 acres	0.0002%	Deemed Leased
(b.1.8.6.2) Terry Smith Address Unknown	0.0002 acres 1/624 of 0.10 acres	0.0002%	Deemed Leased
(b.1.8.6.3) Chrystal Smith Address Unknown	0.0002 acres 1/624 of 0.10 acres	0.0002%	Deemed Leased
(b.1.8.6.4) Todd Smith Address Unknown	0.0002 acres 1/624 of 0.10 acres	0.0002%	Deemed Leased
(b.1.9) Thomas Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9.1) Evalyn Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9.1.2) Lou Sena Aldridge 939 S. Hampton Rd. New Carlisle, OH 45344	0.0019 acres 1/52 of 0.10 acres	0.0024%	Deemed Leased
(b.1.11) Opal T. Bowles (aka Opal Ruble) Heirs, Devisees, Successors or Assigns			
(b.1.11.1) Lou Ellen Wilson 726 Buckskin Trail Xenia, OH 45385	0.0013 acres 1/78 of 0.10 acres	0.0016%	Deemed Leased
(b.1.11.2) Cary Bowles 715 Rainbow Forest Dr. Lynchburg, VA 24502	0.0013 acres 1/78 of 0.10 acres	0.0016%	Deemed Leased
(b.1.11.3) Anthony Bowles 2058 Jodora Dr. Urbana, OH 43078	0.0013 acres 1/78 of 0.10 acres	0.0016%	Deemed Leased
(b.1.12) Ruby T. Brewster c/o Teresa Barnhart, POA	0.0038 acres 1/26 of 0.10 acres	0.0048%	Deemed Leased

Exhibit B-3
Unit A-32 / Well A-32
Docket # VGOB 12-0417-3047
List of all Deemed Leased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
12200 Academy Rd, NE Apt 322 Albuquerque, NM 87111			
(b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns (Heirs/Address Unknown)	0.0038 acres 1/26 of 0.10 acres	0.0048%	Deemed Leased

TOTAL COAL ESTATE:

Acreage in Unit Deemed Leased 0.03
Percentage of Unit Deemed Leased 0.0355%

II. OIL & GAS OWNERSHIP

Tract #1, 51.99 Acres

(1) LBR Holdings, LLC, et al. (211.80 Acre Tract)	51.99 acres	64.9875%	
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	1.62 acres 1/32 of 51.99 acres	2.0309%	Deemed Leased
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	1.62 acres 1/32 of 51.99 acres	2.0309%	Deemed Leased
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	1.62 acres 1/32 of 51.99 acres	2.0309%	Deemed Leased
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	1.62 acres 1/32 of 51.99 acres	2.0309%	Deemed Leased
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	2.17 acres 1/24 of 51.99 acres	2.7078%	Carried Operator
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	2.17 acres 1/24 of 51.99 acres	2.7078%	Carried Operator
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	2.17 acres 1/24 of 51.99 acres	2.7078%	Carried Operator

*** Note: EQT Production Company has leased the Oil and Gas estates.

Tract #3, 0.21 Acres

(1) LBR Holdings, LLC, et al. (85.50 Acre Tract)	0.21 acres	0.2625%	
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.01 acres 1/32 of 0.21 acres	0.0082%	Deemed Leased
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.01 acres 1/32 of 0.21 acres	0.0082%	Deemed Leased
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.01 acres 1/32 of 0.21 acres	0.0082%	Deemed Leased

Exhibit B-3
Unit A-32 / Well A-32
Docket # VGOB 12-0417-3047
List of all Deemed Leased Owners/Claimants

	Acres In Unit	Percent of Unit	Election
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.01 acres 1/32 of 0.21 acres	0.0082%	Deemed Leased
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.01 acres 1/24 of 0.21 acres	0.0109%	Carried Operator
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.01 acres 1/24 of 0.21 acres	0.0109%	Carried Operator
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.01 acres 1/24 of 0.21 acres	0.0109%	Carried Operator

*** Note: EQT Production Company has leased the Oil and Gas estates.

Tract #4, 0.10 Acres

(1) Muriel R. Short, et al (30 Acre Tract)	0.10 acres	0.1250%	
(a) Roy Ray Heirs, Devisees, Successors or Assigns (1/2)			
(a.1) Willie Wingo Ray Heirs, Devisees, Successors or Assigns			
(a.1.4) Stephen Ray PO Box 1580 Lebanon, VA 24266-1580	0.0063 acres 1/16 of 0.10 acres	0.0078%	Deemed Leased
(b) George Tolliver Heirs, Devisees, Successors or Assigns			
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.2) Roy Tolliver	Conveyed Interest (DB 263-401)		
(b.1.2.1) Carol Ellenburg 316 N. High St. Chillicothe, OH 45601	0.0019 acres 1/52 of 0.10 acres	0.0024%	Deemed Leased
(b.1.2.2) James Ellenburg Address Unknown	0.0019 acres 1/52 of 0.10 acres	0.0024%	Deemed Leased
(b.1.6) Edna T. Hollandsworth Heirs, Devisees, Successors or Assigns			
(b.1.6.2) Vernon Hays Heirs, Devisees, Successors or Assigns			
(b.1.6.2.3) Cynthia Rhodes 2308 Wayne Ave., Apt #12 Dayton, OH 45420	0.0005 acres 1/208 of 0.10 acres	0.0006%	Deemed Leased
(b.1.6.2.4) Verna Napier 301 Arms Dr., Apt 4 Fairborn, OH 45324	0.0005 acres 1/208 of 0.10 acres	0.0006%	Deemed Leased

Exhibit B-3
Unit A-32 / Well A-32
Docket # VGOB 12-0417-3047
List of all Deemed Leased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
(b.1.7) Leck Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.7.1) Ruby Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.7.1.1) Kelly Tolliver Address Unknown	0.0019 acres 1/52 of 0.10 acres	0.0024%	Deemed Leased
(b.1.8) Versa T. Smith Heirs, Devisees, Successors or Assigns			
(b.1.8.1) Phyllis Graves Heirs, Devisees, Successors or Assigns			
(b.1.8.1.1) Robert Graves Address Unknown	0.0001 acres 1/780 of 0.10 acres	0.0002%	Deemed Leased
(b.1.8.1.2) James Graves Address Unknown	0.0001 acres 1/780 of 0.10 acres	0.0002%	Deemed Leased
(b.1.8.1.3) Tammy Green Address Unknown	0.0001 acres 1/780 of 0.10 acres	0.0002%	Deemed Leased
(b.1.8.1.4) Charles Robinson Address Unknown	0.0001 acres 1/780 of 0.10 acres	0.0002%	Deemed Leased
(b.1.8.1.5) Bobbie Beakman 2215 Spunk Run Rd. Piketon, OH 45661	0.0001 acres 1/780 of 0.10 acres	0.0002%	Deemed Leased
(b.1.8.3) Merrill Smith 2283 Spunk Run Rd. Piketon, OH 45661	0.0006 acres 1/156 of 0.10 acres	0.0008%	Deemed Leased
(b.1.8.6) Roger Smith Heirs, Devisees, Successors or Assigns			
(b.1.8.6.1) Troy Smith Address Unknown	0.0002 acres 1/624 of 0.10 acres	0.0002%	Deemed Leased
(b.1.8.6.2) Terry Smith Address Unknown	0.0002 acres 1/624 of 0.10 acres	0.0002%	Deemed Leased
(b.1.8.6.3) Chrystal Smith Address Unknown	0.0002 acres 1/624 of 0.10 acres	0.0002%	Deemed Leased
(b.1.8.6.4) Todd Smith Address Unknown	0.0002 acres 1/624 of 0.10 acres	0.0002%	Deemed Leased
(b.1.9) Thomas Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9.1) Evalyn Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9.1.2) Lou Sena Aldridge 939 S. Hampton Rd. New Carlisle, OH 45344	0.0019 acres 1/52 of 0.10 acres	0.0024%	Deemed Leased
(b.1.11) Opal T. Bowles (aka Opal Ruble) Heirs, Devisees, Successors or Assigns			

Exhibit B-3
Unit A-32 / Well A-32
Docket # VGOB 12-0417-3047
List of all Deemed Leased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
(b.1.11.1) Lou Ellen Wilson 726 Buckskin Trail Xenia, OH 45385	0.0013 acres 1/78 of 0.10 acres	0.0016%	Deemed Leased
(b.1.11.2) Cary Bowles 715 Rainbow Forest Dr. Lynchburg, VA 24502 <i>W/ F0/12 0.0013 acres, 0.0016% Deemed Leased</i>	0.0013 acres 1/78 of 0.10 acres	0.0016%	Deemed Leased
(b.1.11.3) Anthony Bowles 2068 Jodora Dr. Urbana, OH 43078	0.0013 acres 1/78 of 0.10 acres	0.0016%	Deemed Leased
(b.1.12) Ruby T. Brewster c/o Teresa Barnhart, POA 12200 Acaderny Rd, NE Apt 322 Albuquerque, NM 87111	0.0038 acres 1/26 of 0.10 acres	0.0048%	Deemed Leased
(b.1.13) Bertha T. Snyder Heirs, Devises, Successors or Assigns (Heirs/Address Unknown)	0.0038 acres 1/26 of 0.10 acres	0.0048%	Deemed Leased
<u>TOTAL OIL & GAS ESTATE:</u>			
Acreage in Unit Deemed Leased		13.08	
Percentage of Unit Deemed Leased		16.3480%	

Exhibit E
Unit A-32 / Well A-32
Docket # VGOB 12-0417-3047
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
<u>Tract #1, 51.99 Acres</u>		
<i>Only 1/4 of LBR Holdings, LLC interest should be escrowed due to conflicting CBM claim.</i>		
<u>COAL OWNERSHIP</u>		
(1) LBR Holdings, LLC, et al. (211.80 Acre Tract)	51.99 acres	64.9875%
(a) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427	13.00 acres 1/4 of 51.99 acres	16.2469%
<u>OIL & GAS OWNERSHIP</u>		
(1) LBR Holdings, LLC, et al. (211.80 Acre Tract)	51.99 acres	64.9875%
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	1.62 acres 1/32 of 51.99 acres	2.0309%
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	1.62 acres 1/32 of 51.99 acres	2.0309%
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	1.62 acres 1/32 of 51.99 acres	2.0309%
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	1.62 acres 1/32 of 51.99 acres	2.0309%
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	2.17 acres 1/24 of 51.99 acres	2.7078%
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	2.17 acres 1/24 of 51.99 acres	2.7078%
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	2.17 acres 1/24 of 51.99 acres	2.7078%
<u>Tract #3, 0.21 Acres</u>		
<i>Only 1/4 of LBR Holdings, LLC interest should be escrowed due to conflicting CBM claim.</i>		
<u>COAL OWNERSHIP</u>		
(1) LBR Holdings, LLC, et al. (85.50 Acre Tract)	0.21 acres	0.2625%
(a) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427	0.05 acres 1/4 of 0.21 acres	0.0656%
<u>OIL & GAS OWNERSHIP</u>		
(1) LBR Holdings, LLC, et al. (85.50 Acre Tract)	0.21 acres	0.2625%
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.01 acres 1/32 of 0.21 acres	0.0082%
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.01 acres 1/32 of 0.21 acres	0.0082%

Exhibit E
Unit A-32 / Well A-32
Docket # VGOB 12-0417-3047
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.01 acres 1/32 of 0.21 acres	0.0082%
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.01 acres 1/32 of 0.21 acres	0.0082%
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.01 acres 1/24 of 0.21 acres	0.0109%
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.01 acres 1/24 of 0.21 acres	0.0109%
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.01 acres 1/24 of 0.21 acres	0.0109%

Tract #4, 0.10 Acres

Escrow due to Unknown/Unlocatable

COAL OWNERSHIP

(1) Muriel R. Short, et al (30 Acre Tract)	0.10 acres	0.1250%
(a) Roy Ray Heirs, Devisees, Successors or Assigns (1/2)		
(a.1) Willie Wingo Ray Heirs, Devisees, Successors or Assigns		
(a.1.3) Joe Ray 437 Whitt Mill Rd., Apt B Abingdon, VA 24210	0.0125 acres 1/8 of 0.10 acres	0.0156%
(b) George Tolliver Heirs, Devisees, Successors or Assigns (Documentation Pending 3/12/12)		
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns		
(b.1.2) Roy Tolliver	Conveyed Interest (DB 263/401)	
(b.1.2.2) James Ellenburg Address Unknown	0.0019 acres 1/52 of 0.10 acres	0.0024%
(b.1.3) Ullis Tolliver Heirs, Devisees, Successors or Assigns		
(b.1.6) Edna T. Hollandsworth Heirs, Devisees, Successors or Assigns		
(b.1.6.2.3) Cynthia Rhodes 2308 Wayne Ave., Apt #12 Dayton, OH 45420	0.0005 acres 1/208 of 0.10 acres	0.0006%
(b.1.6.2.4) Verna Napier 301 Arms Dr., Apt 4 Fairborn, OH 45324	0.0005 acres 1/208 of 0.10 acres	0.0006%
(b.1.8) Versa T. Smith Heirs, Devisees, Successors or Assigns		

Exhibit E
Unit A-32 / Well A-32
Docket # VGOB 12-0417-3047
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(b.1.8.1) Phyllis Graves Heirs, Devisees, Successors or Assigns (Documentation Pending 6/7/12)		
(b.1.8.1.1) Robert Graves Address Unknown	0.0001 acres 1/780 of 0.10 acres	0.0002%
(b.1.8.1.2) James Graves Address Unknown	0.0001 acres 1/780 of 0.10 acres	0.0002%
(b.1.8.1.3) Tammy Green Address Unknown	0.0001 acres 1/780 of 0.10 acres	0.0002%
(b.1.8.1.4) Charles Robinson Address Unknown	0.0001 acres 1/780 of 0.10 acres	0.0002%
(b.1.8.2) Lloyd Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.2.1) Jannel Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.2.1.3) Jody J. Smith 1302 Red Bridge Rd. Peebles, OH 45660-9056	0.0002 acres 1/468 of 0.10 acres	0.0003%
(b.1.8.6) Roger Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.6.1) Troy Smith Address Unknown	0.0002 acres 1/624 of 0.10 acres	0.0002%
(b.1.8.6.2) Terry Smith Address Unknown	0.0002 acres 1/624 of 0.10 acres	0.0002%
(b.1.8.6.3) Chrystal Smith Address Unknown	0.0002 acres 1/624 of 0.10 acres	0.0002%
(b.1.8.6.4) Todd Smith Address Unknown	0.0002 acres 1/624 of 0.10 acres	0.0002%
(b.1.11) Opal T. Bowles (aka Opal Ruble) Heirs, Devisees, Successors or Assigns		
(b.1.11.2) Cary Bowles 715 Rainbow Forest Dr. Lynchburg, VA 24502	0.0013 acres 1/78 of 0.10 acres	0.0016%
(b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns (Heirs/Address Unknown - documentation pending 3/14/12)	0.0038 acres 1/26 of 0.10 acres	0.0048%
<u>OIL & GAS OWNERSHIP</u>		
(1) Muriel R. Short, et al (30 Acre Tract)	0.10 acres	0.1250%
(a) Roy Ray Heirs, Devisees, Successors or Assigns (1/2)		
(a.1) Willie Wingo Ray Heirs, Devisees, Successors or Assigns		
(a.1.3) Joe Ray 437 Whitt Mill Rd., Apt B Abingdon, VA 24210	0.0125 acres 1/8 of 0.10 acres	0.0156%

Exhibit E
Unit A-32 / Well A-32
Docket # VGOB 12-0417-3047
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(b) George Tolliver Heirs, Devisees, Successors or Assigns (Documentation Pending 3/12/12)		
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns		
(b.1.2) Roy Tolliver	Conveyed interest (DB 263/401)	
(b.1.2.2) James Ellenburg Address Unknown	0.0019 acres 1/52 of 0.10 acres	0.0024%
(b.1.3) Ullis Tolliver Heirs, Devisees, Successors or Assigns		
(b.1.6) Edna T. Hollandsworth Heirs, Devisees, Successors or Assigns		
(b.1.6.2.3) Cynthia Rhodes 2308 Wayne Ave., Apt #12 Dayton, OH 45420	0.0005 acres 1/208 of 0.10 acres	0.0006%
(b.1.6.2.4) Verna Napier 301 Arms Dr., Apt 4 Fairborn, OH 45324	0.0005 acres 1/208 of 0.10 acres	0.0006%
(b.1.8) Versa T. Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.1) Phyllis Graves Heirs, Devisees, Successors or Assigns (Documentation Pending 8/7/12)		
(b.1.8.1.1) Robert Graves Address Unknown	0.0001 acres 1/780 of 0.10 acres	0.0002%
(b.1.8.1.2) James Graves Address Unknown	0.0001 acres 1/780 of 0.10 acres	0.0002%
(b.1.8.1.3) Tammy Green Address Unknown	0.0001 acres 1/780 of 0.10 acres	0.0002%
(b.1.8.1.4) Charles Robinson Address Unknown	0.0001 acres 1/780 of 0.10 acres	0.0002%
(b.1.8.2) Lloyd Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.2.1) Jannet Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.2.1.3) Jody J. Smith 1302 Red Bridge Rd. Peebles, OH 45660-9056	0.0002 acres 1/468 of 0.10 acres	0.0003%
(b.1.8.6) Roger Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.6.1) Troy Smith Address Unknown	0.0002 acres 1/624 of 0.10 acres	0.0002%
(b.1.8.6.2) Terry Smith Address Unknown	0.0002 acres 1/624 of 0.10 acres	0.0002%
(b.1.8.6.3) Chrystal Smith Address Unknown	0.0002 acres 1/624 of 0.10 acres	0.0002%

Exhibit E
Unit A-32 / Well A-32
Docket # VGOB 12-0417-3047
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(b.1.8.6.4) Todd Smith Address Unknown	0.0002 acres 1/624 of 0.10 acres	0.0002%
(b.1.11) Opal T. Bowles (aka Opal Ruble) Heirs, Devisees, Successors or Assigns		
(b.1.11.2) Cary Bowles 715 Rainbow Forest Dr. Lynchburg, VA 24502	0.0013 acres 1/78 of 0.10 acres	0.0016%
(b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns (Heirs/Address Unknown - documentation pending 3/14/12)	0.0038 acres 1/26 of 0.10 acres	0.0048%
<u>TOTAL CONFLICTS:</u>		
Acres in Unit	13.07	
Percentage of Unit		16.3399%

INSTRUMENT #1300000829
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
MAY 13, 2013 AT 02:53PM

BEVERLY S. TILLER, CLERK
RECORDED BY: MXB